

STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 443, TO ESTABLISH THE SANGRE DE CRISTO NATIONAL HERITAGE AREA IN THE STATE OF COLORADO, AND FOR OTHER PURPOSES.

MARCH 20, 2007

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 443, a bill to establish the Sangre de Cristo National Heritage Area in the State of Colorado.

Two grassroots organizations, the Los Amigos Caminos Antiguos Scenic and Historic Byway and the Sangre de Cristo NHA Steering Committee, collaborated on a 2005 study which found the Sangre de Cristo region appropriate for designation. Nevertheless, we recommend that the committee defer action on S. 443 and all other proposed heritage area designations until program legislation is enacted that establishes guidelines and a process for the designation of national heritage areas. Last year, the Administration sent to Congress a legislative proposal to establish guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to

enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

S. 443 would establish the Sangre de Cristo National Heritage Area (NHA) to recognize the outstanding and nationally significant natural, cultural, scenic and recreational resources found within the San Luis Valley of Colorado. The Department testified, in a hearing before this subcommittee, on S. 2037, a similar bill, in the 109th Congress.

S. 443 contains safeguards to protect private property, including a prohibition on the use of federal funds to acquire real property. The bill proposes no new restrictions with regard to public use and access to private property and does not convey any water right or water restrictions to the federal government.

S. 443 designates the Sangre de Cristo National Heritage Area Board of Directors as the management entity and outlines their duties. The Board represents a broad spectrum of the valley's residents, organizations, and agencies that were involved in the planning for the NHA. The bill also authorizes the development of a management plan within three years of enactment and authorizes the use of federal funds to develop and implement that plan. If the plan is not submitted within three years of enactment of this Act, the Heritage Area becomes ineligible for

federal funding until a plan is submitted to the Secretary. Additionally, the Secretary may, at the request of the management entity, provide technical assistance and enter into cooperative agreements with other public and private entities.

Exceeding 7,700 feet in elevation, the San Luis Valley is flanked by the Sangre de Cristo and San Juan Mountains and the geology and climatology within the valley have contributed to the formation of America's tallest Sand Dunes, part of Great Sand Dunes National Park and Preserve.

The Rio Grande, the second largest river in North America, has its headwaters within the proposed NHA and twists its way through the San Luis Valley on a 1,900-mile journey, offering outstanding scenic and recreational opportunities, including trout fishing, rafting, and tubing. The availability of water in this largely arid and alpine environment tends to concentrate the abundant wildlife in highly visible and public preserves creating exceptional wildlife and bird watching opportunities.

The area's rich natural resources include one National Park, three National Wildlife Refuges, one National Forest, two National Forest Wilderness Areas, six Areas of Critical Environmental Concern administered by the Bureau of Land Management, and 15 State Wildlife Areas. The cultural resources associated with the proposed national heritage are equally impressive. The San Luis Valley with its abundant natural resources may have been inhabited by native peoples including the Ute, Navajo, Apache, Tiwa, Tewa, Comanche, Kiowa, and Arapaho for more than 12,000 years.

More recently, the San Luis Valley served as a crossroads for European exploration and settlement. Spanish explorers and Franciscan priests first entered the valley in 1776 in an attempt to strengthen Spain's weak hold on her remote empire. Captain Zebulon Montgomery Pike camped in the shadows of the Sangre de Cristo Range along the banks of the Conejos River and was captured by Spanish soldiers, arrested for trespassing on Spanish soil, and escorted to Mexico for questioning. His campsite is commemorated as a National Historic Landmark along with 22 other properties that are listed on the National Register of Historic Places.

Extensive Mexican land grants triggered the initial settlement of the area as families from northern New Mexico found enough water to support their sheep and water their crops. The proposed NHA contains the oldest continuously occupied town in Colorado, (San Luis), the oldest parish (Our Lady of Guadalupe), the oldest church (San Acacio), and the first water right (San Luis People's Ditch).

The Hispanic cultural traditions associated with this first wave of European settlement can still be found in this isolated and predominantly agricultural region of Colorado where a version of 17th century Spanish is still spoken by about 35% of the population.

The feasibility of recognizing the area's impressive cultural and natural resources as a national heritage area was the subject of a study produced in 2005 by two grassroots organizations, the Los Amigos Caminos Antiguos Scenic and Historic Byway, in conjunction with the Sangre de Cristo NHA Steering Committee.

The feasibility study was largely based upon the results of a symposium held in the fall of 2002 where scientists, historians, and anthropologists from interested colleges as well as local ranchers, community leaders, and tribal elders presented papers on the history, natural resources and local culture of the San Luis Valley. The feasibility study identified four interpretive themes for the NHA and addressed the ten interim criteria that the National Park Service has developed for designation of national heritage areas. The study concluded that the area's cultural and natural resources met those criteria.

All local governments within the proposed area have passed resolutions in support of the establishment of the proposed NHA. Moreover, State and federal land managers within the proposed NHA have expressed a willingness to work with the management entity in accomplishing their congressionally authorized conservation and education responsibilities.

If the committee chooses to move forward with this bill, the Department would recommend that the bill be amended to include an additional requirement for an evaluation to be conducted by the Secretary, three years prior to the cessation of federal funding under this act. The evaluation would examine the accomplishments of the heritage area in meeting the goals of the management plan; analyze the leveraging and impact of investments to the heritage area; identify the critical components of the management structure and sustainability of the heritage area; and recommend what future role, if any, the National Park Service should have with respect to the heritage area.

We also recommend that the bill be amended to remove paragraph 5(d)(2) which would require 100 percent federal funding prior to completion of the management plan and to change the termination authority in Section 11 to expire 15 years after enactment. In addition, we would like to work with the Subcommittee to ensure that the management planning process is coordinated with the affected federal land management entities. These amendments would make S. 443 consistent with other, similar, national heritage area establishment bills.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or other members of the Subcommittee may have.